

Establishing A Policy For The Excused Leave Of Ulster County Personnel Classified As Department Heads, Managerial Staff, Legislative Employees, and Board of Election Employees During Volunteer Emergency Response

Referred to: The Law Enforcement and Public Safety Committee (Chairman Briggs and Legislators Fabiano, Provenzano, Ronk and Wishnick), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Belfiglio, Briggs, Gregorius, Maio, Maloney, and Parete)

Chairman John Parete and Legislator Richard Parete offer the following:

WHEREAS, the Ulster County Legislature recognizes the quality of life and financial benefit volunteer first responder departments offer the entire County during emergency responses; and

WHEREAS, the United States Fire Administration reported 94.6% of New York State's Fire Departments are comprised of volunteers or mostly volunteers; and

WHEREAS, the National Fire Protection Association reported the time donated by volunteer firefighters saves the nation's localities an estimated \$139.8 billion per year; and

WHEREAS, the ability to effect response time and the quality of the response provided is directly related to the availability of trained, volunteer first responders from the local community; and

WHEREAS, the changing economic landscape of Ulster County which has taken available volunteers farther from home or in the case of two parent households, both into the workforce, has attributed to the personnel shortages; and

WHEREAS, the United States Fire Administration found emergency service departments that have been unable to address the problems and challenges of volunteering in today's world have been forced to hire career responders, consolidate, or even close their doors; and

WHEREAS, the National Fire Protection Association has found the number of volunteer firefighters in the United States has declined by about 12% since 1984; and

WHEREAS, in 2013, the Firemen's Association of the State of New York reported volunteer **emergency** medical technicians (EMTs) experienced a decline from more than 50,000 to 35,000 from the 1990s to today, with some rural communities experiencing as much as a 50-percent depletion of their EMT ranks; and

Resolution No. 231

June 16, 2015

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~~WHEREAS, in 2009, the State of Connecticut found 59 towns had at least one ambulance provider [or mutual aid backup] that failed to respond to calls in an average time of 8 minutes or less—a nationally accepted standard for timely arrival; and~~

~~WHEREAS, the Ulster County Legislature recognizes while the economy is substantially strengthened by the efforts of volunteer first responding departments, it respects and understands the economic reality in the continual loss of volunteer responders on the provision of emergency services today; and~~

~~WHEREAS, the New York State Legislature and Governor recognized the vital need for immediate emergency fire and medical responses during states of local and State declared emergencies when it recently passed a law to require employers to grant leave to volunteer emergency responders; and~~

~~WHEREAS, the Ulster County Legislature seeks to establish a similar policy to increase the availability of trained, volunteer first responders in times of need in order to best serve the residents of Ulster County and modeled this policy on the State enacted law; and; now therefore be it~~

~~WHEREAS, the Ulster County Legislature recognizes that by nature of position certain Ulster County employees may not always be able to assist in volunteer emergency response efforts, such as those in the Department of Emergency Communications/Emergency Management, who may be designated by the County Executive as essential personnel required to work when an office closing is authorized, and who must provide services around the clock during an emergency, or provide services that relate directly to the health, safety, and welfare of the County to ensure continuity of key operations; now, therefore be it~~

~~RESOLVED, that during the time that an emergency request for response is made by a local Fire Department, Ambulance or Rescue Squad, an Ulster County employee so classified as a Department Head, Managerial Staff, Legislative Employees, and Board of Election Employees, shall be granted a leave of absence from County employment while engaged in the actual performance of his or her duties as a volunteer firefighter and/or an enrolled member of a volunteer ambulance service or volunteer rescue squad; and, be it further~~

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RESOLVED, it is the policy of Ulster County that an Ulster County employee who is classified as a Department Head, Managerial, Legislative, or Board of Election employee shall be granted an excused leave while such employee is engaged in the duties of a volunteer firefighter, a volunteer ambulance service member, or volunteer rescue squad member; and, be it further

RESOLVED, that this policy shall apply when the employee responds to an emergency call while the employee is at work or if the employee is engaged in the aforementioned duties when the employee is scheduled to be at work; and, be it further

RESOLVED, ~~the excused~~ leave shall be granted only when the ~~County of Ulster~~ employee has previously ~~received~~ **provided** written documentation from the head of the employee's volunteer fire department, volunteer ambulance service, or volunteer rescue squad, as applicable, ~~indicating~~ **affirming** the employee's status as a volunteer firefighter or member of a volunteer ambulance service; and, be it further

RESOLVED, ~~the entire period of the authorized~~ **excused** leave ~~of absence~~ granted pursuant to this policy shall be charged against any other leave to which such employee is entitled; and, be it further

RESOLVED, upon ~~the County of Ulster's~~ request, an employee who has been granted **an** excused leave ~~in accordance with this section~~ **pursuant to this policy** shall provide ~~his or her employer with~~ a notarized statement from the head of the volunteer fire department, volunteer ambulance service, or volunteer rescue squad, as applicable, certifying ~~the period of time, or times,~~ that said employee responded to any emergency ~~pursuant to this policy~~; and be it further

RESOLVED, the County Executive shall have the authority to deny excused leaves for those employees whose responsibilities and/or duties are essential to County operations; and be it further

RESOLVED, that this policy supersedes and replaces any and all existing policies that provide for excused leave during a volunteer emergency request for response that may apply to Department Heads, Managerial Staff, Legislative Employees, and Board of Election Employees; and be it further

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RESOLVED, the Ulster County Legislature encourages the County Executive to consider this vital community volunteer service when negotiating collective bargaining agreements for all other Ulster County employees in the future,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Law Enforcement and Public Safety on June 1, 2015

Passed Committee: Ways and Means as amended on June 16, 2015

FINANCIAL IMPACT:

NONE